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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,527	01/10/2002	Robert V. Bell	T-6093	6227

7590 03/17/2006

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EXAMINER

NECKEL, ALEXA DOROSHENK

ART UNIT	PAPER NUMBER
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1764

DATE MAILED: 03/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/043,527	BELL ET AL.	
	Examiner	Art Unit	
	Alexa D. Neckel	1764	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,3,6,8,9 and 19-23 is/are pending in the application.
- 4a) Of the above claim(s) 19-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,6,8 and 9 is/are rejected.
- 7) ☐ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11/28/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election of Group I in the reply filed on November 28, 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 2 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Utterback (2,317,566).

With respect to claim 2, Utterback discloses a process for coking comprising:

a coker vessel (3) wherein the bottom portion (4) has an aperture/outlet (5) through which coke is released;

having an aperture closure (isolating valve 6) sealed to the outlet (5) at the bottom portion of the vessel (3);

feeding a hydrocarbon feed into the vessel (3) through a feed line (10) attached at a side position above the bottom of the coker vessel (see figures 1 and 2); and

wherein coking occurs in the vessel and wherein the valve is operated so that it is in a closed position during operation and in an open position at the end of the operation to release the coke (col. 1, line 48- col. 2, line 12).

With respect to claim 6, it can be seen in figure 1 that a chute (not numbered) is sealed between the bottom of closure/isolating valve (6) and a coke receptacle (7).

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Utterback (2,317,566) as applied to claim 1 above, and further in view of Loth (6,367,803).

With respect to claims 8 and 9, Utterback fails to teach that gaskets are used in the operation of his system. Loth teaches sealing gaskets to go between flanges in the chemical and oil industries (col. 1, lines 11-14) which can withstand high pressures (col. 2, lines 21-22) made up of a corrugated metal coated with graphite (col. 4, lines 58-62) which are also advantages in sealing elements of different dimensions (col. 1, lines 55-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the gasket of Loth in the arrangement of Utterback in order to ensure a seal that will withstand the high operational pressures of the coking process.

Allowable Subject Matter

6. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: Though the reference of Lah teaches that a de-heading system can be attached to a coke drum via a transition spool (col. 9, lines 39-43), the prior art neither teaches nor suggests wherein such a transition spool has a feed line attached in a side entry position nor wherein the heavy hydrocarbon feed line to the coker vessel is attached at a side entry position.

Response to Arguments

Drawings

The objection to the drawings is withdrawn due to applicant's amendment to the claims.

Specification

The objection to the specification is withdrawn due to applicant's amendments.

35 USC 112

It is noted that Applicant has cancelled the rejected claim.

Rejections in view of Lah

Applicant's amendments to the claims overcome the rejections based on the Lah reference.

Allowable Subject Matter

It is noted that claim 2 was previously indicated as objected to for being dependent upon a rejected claim. The examiner, in updating her search, has come across the Utterback reference which has now been applied in a rejection of claim 2, above.

It is noted that the subject matter of claim 3 continues to be found allowable, although claim 3 is objected to as being dependent upon a rejected claim.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexa D. Neckel whose telephone number is 571-272-1446. The examiner can normally be reached on Monday - Thursday from 9:00 AM - 7:30 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Caldarola can be reached on 571-272-1444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1764

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alexa D. Neckel
Primary Examiner
Art Unit 1764

March 15, 2006


ALEXA DOROSHENK NECKEL
PRIMARY EXAMINER